



General Assembly

January Session, 2009

Amendment

LCO No. 6731

SB0037506731SR0

Offered by:

SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 375

File No. 837

Cal. No. 265

"AN ACT CONCERNING MUNICIPAL PAYMENTS TO PENSION PLANS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 7-278 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2009*):

5 No active head or assistant chief of any police department of any
6 town, city or borough shall be dismissed unless there is a showing of
7 just cause by the authority having the power of dismissal and such
8 person has been given notice in writing of the specific grounds for
9 such dismissal and an opportunity to be heard in his own defense,
10 personally or by counsel, at a public hearing before such authority.
11 Such public hearing, unless otherwise specified by charter, shall be
12 held not less than five nor more than ten days after such notice. Any
13 person so dismissed may appeal within thirty days following such
14 dismissal to the superior court for the judicial district in which such
15 town, city or borough is located. Service shall be made as in civil

16 process. Said court shall review the record of such hearing, and, if it
17 appears upon the hearing upon the appeal that testimony is necessary
18 for an equitable disposition of the appeal, it may take evidence or
19 appoint a referee or a committee to take such evidence as it directs and
20 report the same to the court with his or its findings of fact, which
21 report shall constitute a part of the proceedings upon which the
22 determination of the court shall be made. The court, upon such appeal,
23 and after a hearing thereon, may affirm the action of such authority, or
24 may set the same aside if it finds that such authority acted illegally or
25 arbitrarily, or in the abuse of its discretion, with bad faith, malice, or
26 without just cause. For the purposes of this section, "assistant chief"
27 means the second in command of a police department and includes,
28 but is not limited to, a deputy police chief."